

UNITED STATES DISTRICT COURT

for the
District of New MexicoIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

1029 Calle Nueva Vista, Santa Fe, New Mexico

Case No.

15 mr 580

FILED
 UNITED STATES DISTRICT COURT
 ALBUQUERQUE, NEW MEXICO
 SEP 10 2015
 MATTHEW J. DYKMAN
 CLERK

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

1029 Calle Nueva Vista, Santa Fe, New Mexico

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

All semi-automatic hand guns resembling Glock pistols.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 U.S.C. 2113(a)

Bank robbery

The application is based on these facts:

See attached affidavit which is incorporated herein

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

SA Samuel T. Hartman

Printed name and title

Sworn to before me and signed in my presence.

Date: Sept. 10, 2015

City and state: Albuquerque, New Mexico



Judge's signature

KAREN B MOLZEN

Printed name and title

US Chief Magistrate Judge

In the United States District Court

District of New Mexico

UNITED STATES OF AMERICA)
)
VS.)
)
JACOB WHEELER)
Year of Birth 1990)
SSAN: XXX-XX-0133)

AFFIDAVIT

I, the undersigned, being duly sworn, hereby depose and state as follows:

1. I, Samuel Hartman, am a Special Agent of the Federal Bureau of Investigation (FBI), and have been so employed for over six years. I am currently assigned to the Albuquerque Field Office to investigate violations of Federal law, including Title 18, United States Code, Section 2113(a), Bank Robbery. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
2. On 05/15/2015, at approximately 3:50pm, the Century Bank, located at 498 N. Guadalupe Street, Santa Fe, New Mexico, 87501, was robbed by an individual using intimidation and force. This individual pointed a gun at the bank teller, demanded money, and climbed up on the teller's counter to grab money from a cash drawer. Century Bank is a federally insured institution. A \$437 loss was sustained. Of the \$437, five \$20 bills were bait bills.

3. The aforementioned robbery was conducted by an Unknown Male (UM) described as being Hispanic, in his 20's, approximately 5'3" to 5'4" tall, thin build, approximately 130lbs, wearing white and black framed tinted glasses, a black hooded sweatshirt, jeans, and having handcuffs hanging from the back of his pants.
4. During the robbery, the UM approached the teller and demanded that she give him the money she had. He immediately climbed up on the counter and tried opening the drawer containing the cash. While doing so, he kept the gun pointed at the teller. The UM finally opened the drawer, pulled out some money, and ran out. That is when the teller activated the alarm. The teller walked over to the front of the bank and saw a Red Ford 500, with black rims, and black tinted windows, leave the bank parking lot. This was the same vehicle that the teller saw park in front of the bank, but then pull over to the side out of view immediately before the robbery.
5. In addition, a bank employee advised the Santa Fe Police Department (SFPD) of the make and model of the vehicle that the UM departed in and also advised that the UM was known to this employee as Jacob Wheeler (Wheeler). The SFPD located the vehicle near the Rail Yard district in Santa Fe. Once located, the vehicle sped away and the SFPD pursued. The SFPD pursued the vehicle to Rodriguez Street, Santa Fe, New Mexico. When the SFPD approached the vehicle, the driver had already abandoned the vehicle. The vehicle was located near Jacob's listed home address of 231 ½ Rodriguez Street, Santa Fe, New Mexico.
6. The FBI received two anonymous calls after the bank robbery. Anonymous Caller 1 (AC1) stated that the picture of the bank robber looked like Wheeler. AC1 was asked if the picture resembled any of Wheeler's brothers, and AC1 said it didn't and he was sure it was Wheeler. Anonymous caller 2 (AC2) stated that AC2 saw the picture of the bank robber on Facebook and that the bank robber was Wheeler. AC2 further advised that Wheeler was born on 12/17/1990, was 5'4", 130lbs, with brown hair, and brown eyes. When asked if it the person in the picture could be one of Wheeler's brothers, AC2

advised that the bank robber was Wheeler and not one of his brothers. In addition, AC2 stated that Wheeler carried a Glock with him.

7. On May 18, 2015, FBI agents interviewed a Cooperating Source (CS1). FBI agents showed CS1 a picture of the bank robber, and CS1 advised that it was Wheeler. CS1 was asked to rate his/her level of confidence on a scale of 1 to 10 that the individual depicted in the picture was in fact Wheeler. CS1 advised that it was a 10. CS1 confirmed that Wheeler dated Allannah Romero (Romero) and that he drove Romero's red Ford 500. CS1 also advised that Wheeler and Romero were having financial hardships. CS1 has known Wheeler for at least five years.
8. On May 22, 2015, your affiant received an arrest warrant for Jacob Wheeler. On May 26, 2015, Wheeler was arrested by FBI Agents and SFPD Officers at 1517 Agua Fria Street, Santa Fe, New Mexico.
9. While in jail, Wheeler has made numerous telephone calls to Romero and various members of his family. In a phone call with Romero on 06/01/2015, Romero tells Wheeler that an unknown guy showed up at their home asking for Wheeler, and that she did not want to stay at the house by herself. Wheeler tells her to go grab the "chitty chitty bang bang" if she needs it. Romero says she doesn't need it.
10. In another phone call on 06/02/2015, Romero talks to Wheeler about the FBI search of their home after Wheeler was arrested. Wheeler states that he thinks that they were "madder than fuck" when they didn't find what they were looking for. Your affiant believes Wheeler was referring to evidence of the bank robbery, and specifically the gun.
11. On 06/02/2015, Romero tells Wheeler she was scared when "that guy" came by the house. Wheeler tells her that "his strap" is in his Nino's safe and that if she needs it, that it's there. He goes on to tell her to go get the Glock if she needs it.
12. Nino is Spanish slang for godfather. In August of 2015, a confidential source (CS2) revealed that Wheeler refers to his Uncle Jesse as his Nino. Jesse is a brother to Robert


Wheeler who is Jacob's father. CS2 also advised that Jesse lived off of Rufina Street in Santa Fe, drove a Jeep Wrangler, and has a safe that guns are kept in.

13. Your affiant conducted records checks with the New Mexico Motor Vehicle Department (MVD) on Jesse Wheeler. According to the MVD, Jesse J. Wheeler's listed address was at 231 ½ Rodriguez Street, Santa Fe New Mexico. This is the same listed address for Jacob Wheeler, and his father Robert Wheeler. Additional MVD checks revealed four vehicles registered to Jesse Wheeler. One of the four vehicles is a Jeep, as reported by CS2, bearing New Mexico license plate MLR533. The vehicles were registered to the address 1029 Calle Nueva Vista, Santa Fe, New Mexico. This address is located near or "off of" Rufina Street in Santa Fe, New Mexico as was reported by CS2.
14. On 08/28/2015, a drive by surveillance was conducted at 1029 Calle Nueva Vista, Santa Fe, New Mexico. The home at this address is a double wide, tan and brown, mobile or manufactured home. A Toyota, bearing license plate MNR890, was observed in the drive way at the address. An additional drive by was conducted on 09/02/2015. A Chevrolet bearing New Mexico license plate 127NMX was observed in the driveway, and a Jeep Wrangler bearing a New Mexico license plate beginning with "MLR..." was observed approaching the address as the drive by concluded. The Chevrolet and the aforementioned Toyota are both registered to Jesse Wheeler.
15. Based on your Affiant's training and experience as a law enforcement officer, your affiant believes that the gun used by Jacob Wheeler in the bank robbery on 05/15/2015 is located in a safe at his Uncle Jesse Wheeler's home. The terms "chitty chitty bang bang," "my strap," and Glock all refer to a gun. Due to the fact that CS2 stated that Jesse lived "off of" Rufina Street, that MVD records revealed Jesse Wheeler's vehicles were registered at 1029 Calle Nueva Vista, Santa Fe, New Mexico, and that three of Jesse's registered vehicles have been observed at this address, your affiant believes that this is the home where the safe is located that has the aforementioned gun used in the bank robbery at Century Bank on 05/15/2015.

16. Your affiant believes there is sufficient probable cause, and respectfully requests the Court to issue the proposed search warrant for a search of 1029 Calle Nueva Vista, Santa Fe, New Mexico to locate the safe and any hand guns resembling a Glock that may have been used in the bank robbery on 05/15/2015. The hand gun in surveillance photos and videos of the bank robbery resembled a semi automatic handgun that is similar in appearance to a Glock pistol. In addition, Wheeler told Romeo to go get the Glock, and AC2 advised that Jacob carried a Glock. Due to the affiant's training, your affiant understands that the term "Glock" is often a generic term for any handgun, not necessarily one manufactured by Glock. In addition, not all individuals that carry or use pistols are always correct in identifying the make or model of the handgun. The seizure of all items resembling a semi-automatic Glock hand gun is necessary for the purpose of analyzing them in a controlled environment for DNA and fingerprints. Results of the analysis could lead to evidence that the item was used in the commission of the bank robbery and constitute evidence of a violation of 18 U.S.C. §§ 2113(a), Bank robbery and incidental crimes.

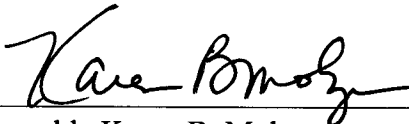
I swear that this information is true and correct to the best of my knowledge and belief.

Respectfully submitted,



Samuel T. Hartman
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 10th day of September, 2015.



Honorable Karen B. Molzen
United States Magistrate Judge